THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

W.P. NO. 10936 of 1998

DATED: 06-06-2007

Between:-

G. Venkateswarlu, s/o E. Ethirajulu, aged about 36 years, occ: Service (Driver) in APSRTC in Srikalahasti Depot, Chittoor District.

...

PETITIONER

And

The Depot Manager, A.P.S.R.T.C. Srikalahasti, Chitoor District and two others.

..RESPONDENTS

THE HONOURABLE SRI JUSTICE RAMESH RANGANATHAN

W.P. NO. 10936 of 1998

O R D E R

In this writ petition the petitioner seeks reimbursement of the medical expenses incurred by him of Rs. 10,035/- for the treatment of his wife in a private nursing home wherein the Urologist of S.V.R.R.G.G. Hospital, Tirupati (Ruhia Hospital) had treated her for left Kidney Renal stones.

The petitioner would contend that the Medical Officer, A.P.S.R.T.C. Tirupati, who had examined his wife, had referred her to the Urologist of Ruhia Hospital, which is a Government Hospital and, in accordance with the advise of the Urologist Dr. C.Subramanyam, his wife was treated and that the said Urologist had also operated on her. The petitioner would contend that, during the course of treatment, scanning and medicines were prescribed by the Urologist and that the said Urologist has given a certificate to the effect that medicines to a tune of Rs. 3,385.85 ps., operation charges of Rs. 5,000/- and scanning charges of Rs. 1,650/-, in all amounting to Rs. 10,035.85 ps. had been incurred.

In the counter affidavit the respondents would state that the Medical Officer of the A.P.S.R.T.C. had, on examination of the petitioner's wife, directed her to undergo treatment in S.V.R.R. Hospital and that, contrary to his advise, the petitioner had got his wife admitted in a private nursing home on his own accord. The respondents would

contend that the circular instructions of the A.P.S.R.T.C. are specific and provide that, unless referred by the Medical Officer concerned, any treatment in a private hospital would not be entitled for reimbursement. In the present case, while the Medical Officer of the A.P.S.R.T.C. had advised the petitioner to undergo treatment in the Government Hospital (Ruhia Hospital), the petitioner, on his own accord, had his wife treated in a private hospital.

Since the circular instructions of the A.P.S.R.T.C. provide for reimbursement of medical expenses only in case where the Medical Officer has advised treatment in a private hospital and as, in the present case, no such advise had been given by the Medical Officer of A.P.S.R.T.C, the petitioner's claim for reimbursement of medical expenses is contrary to the circular instructions of the A.P.S.R.T.C. Since the validity of the circular instructions are not under challenge in this writ petition, the petitioner is not entitled to the relief sought for. The writ petition fails and is, accordingly, dismissed. No costs.

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RAMESH RANGANATHAN,J

Dated: 06-06-2007

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